

REMARKS

This is in response to the non-final Official Action issued currently outstanding with respect to the above-identified application.

Claims 1-6 and 10-13 were present in this application as of the time of the issuance of the currently outstanding Official Action. By the foregoing Amendment, Claim 1 has been amended, and Claim 2 has been cancelled, without prejudice. No New Claims have been added. Further, no new matter has been added to this application by virtue of the amendment of any of the claims. Accordingly, upon the entry of the foregoing Amendment, Claims 1, 3-6 and 10-13 will constitute the claims under active prosecution in this application.

A version of the claims as they will stand upon the entry of this amendment is set forth above as required by the Rules.

More specifically, it is noted that in the currently outstanding Official Action, the Examiner has:

1. Acknowledged Applicant's claim for foreign priority under 35 USC 119 (a)-(d) or (f), and confirmed the receipt of the required copy of the priority document by the United States Patent and Trademark Office;
2. Failed to comment upon the acceptability of the drawings filed as part of this application – **Applicant respectfully requests an indication concerning the acceptability of the drawings in response to this communication;**

3. Provided Applicant with a copy of a Notice of References Cited (Form PTO-892) and copies of the references cited therein;
4. Failed to provide Applicant with a copy of the Form PTO-1449 that accompanied his Information Disclosure Statement of 4 October 2000 duly signed, dated and initialed by the Examiner to confirm his consideration of the art cited therein – **Appropriate confirmation of the consideration of the art cited in Applicant's Information Disclosure Statement of 4 October 2000 in response to this communication is respectfully requested;**
5. Acknowledged receipt of Applicant's Preliminary Amendments of 19 December 2000 and 2 January 2001;
6. Indicated that Claims 10-13 are allowed;
7. Rejected Claim 1 under 35 USC 103(a) as being unpatentable over Japanese Patent No. 01-258204 (cited by Applicant); and
8. Objected to Claims 2-6 as being dependent upon a rejected base claim, but indicated that those claims would be allowable if stated in independent form including all of the limitations of their respective base claims and any intervening claims.

Further comment concerning items 1-6 above are not deemed to be necessary in these Remarks.

With respect to item 7, Applicants by the foregoing amendment have canceled Claim 2 and incorporated its limitation into previous Claim 1. Accordingly Applicant respectfully submits that the Examiner's currently outstanding rejection of Claim 1 has been overcome by the present Amendment. A decision so holding in response to this communication is respectfully requested.

With respect to item 8, Applicant by the foregoing Amendment has presented the subject matter of Claims 2 in independent form incorporating all of the limitations of its base claim by the incorporation of the limitation of Claim 2 into previous Claim 1. In this regard it is respectfully noted that Claims 3-6 depend upon Claim 1. Accordingly, since the Examiner has indicated that the combination of Claims 1 and 2 is allowable, Applicant respectfully submits that the claims that depend from amended Claim 1 (i.e., the combination of previous Claims 1 and 2) also are allowable. Therefore, Applicant respectfully submits that Claims 1 and 3-6 as hereinabove amended are now in condition for allowance. A decision so holding in response to this communication is respectfully requested.

Consequently, reconsideration and allowance of this application in view of the foregoing Amendment and the Examiner's indication of the allowance of Claims 10-13 is respectfully requested.

Finally, Applicants believe that additional fees are not required in connection with the consideration of this response to the currently outstanding Official Action. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge and/or credit Deposit Account No. **04-1105**, as necessary, for the correct payment of all fees which may be due in connection with the filing and consideration of this communication.

Respectfully submitted,

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